

Board Members

Miki Paul, Ph.D.
Chairperson
Gary D. Lovejoy, Ph.D.
Vice-Chairperson
Maryann Santos de Barona, Ph.D.
Secretary
Melissa Del-Colle
Joseph C. Donaldson
Megan Hunter-Williams
Cheryl L. Karp, Ph.D.
Ramona N. Mellott, Ph.D.
Fred Wiggins, Ph.D.



State of Arizona Board of Psychologist Examiners

1400 West Washington, Suite 235
Phoenix, Arizona 85007

Phone: (602) 542-8162 Fax: (602) 542-8279
www.psychboard.az.gov info@psychboard.az.gov

Staff

Maxine McCarthy
Executive Director

Meghan B. Hinckley
Deputy Director

Vicki E. Fox
Investigator

Shari S. Courtney
Administrative
Assistant

REGULAR SESSION MINUTES

Friday, August 3, 2007

1400 West Washington
Basement Conference Room, #B-1
Phoenix, AZ 85007

1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Chairperson Paul at 8:30 a.m. on Friday, August 3, 2007. No Executive Sessions were held.

2. ROLL CALL

Board Members Present

Miki Paul, Ph.D. - Chairperson
Gary D. Lovejoy, Ph.D. - Vice-Chairperson
Maryann Santos de Barona, Ph.D. - Secretary
Melissa Del-Colle
Cheryl L. Karp, Ph.D.
Ramona N. Mellott, Ph.D.

Board Members Absent

Megan Hunter-Williams
Joseph C. Donaldson
Fred Wiggins, Ph.D.

Staff Present

Maxine McCarthy, Executive Director
Meghan B. Hinckley, Deputy Director
Vicki Fox, Investigator
Shari Courtney, Administrative Assistant

Attorney General's Office

Keely Versteegen, Esq.
Assistant Attorney General

3. REMARKS/ANNOUNCEMENTS

- **Board Member and Staff Appreciation** - Chairperson Paul thanked Staff for all their dedication and hard work. Chairperson Paul also thanked the Board members for all of their hard work on the various Committees including the Complaint Screening Committee and the Applications Review Committee.
- **Introduction of New Deputy Director** - Chairperson Paul introduced Ms. Meghan Hinckley, the new Deputy Director for the Board. Dr. Paul welcomed her aboard and wished her luck in the new position.
- **Update/Progress of the Ad Hoc Supervision Study Committee** - Chairperson Paul gave an update of the progress of the Ad Hoc Supervision Study Committee ("SCC"). The SCC consists of 2 university psychologists and 2 practice psychologists appointed by the Board to study issues surrounding supervision and recommend possible statute and rules changes. On June 14, 2007, the SCC held a meeting which was open to the public. Approximately 20 psychologists and interested parties provided comment regarding legal, ethical,

technological, and procedural issues surrounding training supervision in the field of psychology in Arizona. The Board hired a court reporter to capture all of the public comments. Board members Dr. Paul, Dr. Mellott and Dr. Santos De Barona also attended the meeting. The results and final report of the SSC will be presented at the October Board meeting. Chairperson Paul thanked all those in attendance for their hard work and support.

- **Update on Recruitment Process for New Executive Director** - Chairperson Paul gave an update regarding the hiring process of a new Executive Director as it was announced at the previous meeting that Ms. McCarthy had given notice that she would be retiring on October 19, 2007. Recruitment managers Susan Laurence and Clarence Williams of the Arizona Department of Administration are handling the recruitment process and have, to date, received 85 applications regarding the position. Filing for this position closes on August 10, 2007.
- **Board Assessment Forms** - Chairperson Paul announced to members of the public audience that the Board appreciates feedback regarding their meetings and that they read every evaluation. Chairperson Paul encouraged members of the audience to complete a Board Meeting Assessment Survey and place them in the box outside the Board room. Chairperson Paul also commended the Board members as the reviews from the June meeting were outstanding.
- **CE Documentation** - Chairperson Paul announced that licensees could receive CE credits in Ethics for their attendance at Board meetings. Chairperson Paul explained that in order to obtain credit one must register on the CE roster, complete the 3 page CE record form, have the first page signed and stamped with the validation stamp, keep the first page, and submit the remaining pages to Ms. Fox or Ms. Hinckley. It was noted that Ms. Fox and Ms. Hinckley are the only two staff that can stamp the CE validation form. Licensees are eligible to receive 2 credits for attending the morning session, and 4 credits for all day attendance.
- **Meeting with Representative Lujan** – A preliminary stakeholders meeting was called by Representative David Lujan on June 26, 2007. Representative Lujan is planning to introduce legislation in the 2008 session regarding handling of complaints against judicially appointed health professionals. Attendees included Ms. McCarthy, Dr. Paul, Stuart Goodman, the Board Lobbyist, several psychologists, members of the Domestic Violence Coalition, and other interested parties, but not all stakeholder interests were represented. Mr. Lujan will introduce a version of his bill at future meetings hoping to receive input from stakeholders in an effort to work out any differences between the groups. Representative Lujan proposed House Bill 2413 in 2006 and then again in January 2007 as HB 2662. At the February 2007 meeting, the Board voted, unanimously, to accept a substitute version. The version was never considered because the Bill “died” in Committee during the 2007 Legislative Session. As the bill progresses, Representative Lujan will present updated versions to the Board for input, review, and revision.

4. APPROVAL OF MINUTES

- **Regular Session – June 1, 2007** – A motion was made by Dr. Mellott, seconded by Ms. Del-Colle, and carried (5-0-1), with Dr. Santos De Barona abstaining from the vote, to approve the June 1, 2007 Regular Session minutes.
- **Regular Session Conference Call – July 6, 2007** – Dr. Santos De Barona made a motion, which was seconded by Dr. Mellott, and carried (5-0-1), with Ms. Del-Colle abstaining from the vote, to approve the July 6, 2007 Regular Session Conference Call minutes.

5. CALL TO THE PUBLIC

Chairperson Paul gave the public the opportunity to address the Board at this time. Dr. Faren Akins, the Arizona Psychological Association's (AzPA) liaison to the Board, discussed the meeting with Representative Lujan. Dr. Akins will be serving as the representative from AzPA regarding the Lujan legislation. Dr. Akins noted that the meeting had a positive outcome, and that attendees felt encouraged because they were starting the process early enough that all sides could come up with appropriate language to use for the bill.

Dr. Akins discussed the new records retention policy and being able to inform all licensees in response to it. Dr. Akins stated that AzPA would be having training on this subject at the AzPA Convention in Carefree on October 12-13, 2007. Larry Cohen will be the presenter on this topic at the meeting, both as an attorney and a neuropsychologist. Dr. Akins noted that there is also a possibility for training sessions in Northern AZ and Southern AZ but, no definite plans have been made.

Dr. Akins addressed the issue that Dr. Santos De Barona's term with the Board will expire in January 2008, thus leaving a position open. AzPA has formed an Endorsement Committee that will be interviewing potential candidates that would like to be endorsed by AzPA and recommended to the Governor for service on the Board. The AzPA Endorsement Committee is still looking for an academic member to serve if there are any interested parties.

6. CASE DISCUSSION/DECISION

a) Jason Lewis, Ph.D. – Case No. 07-14

Dr. Mellott summarized the allegations of this case, which was carried over from the June 1, 2007 Board meeting, regarding issues that Dr. Lewis had failed to report his DUI to the Board in a timely manner. The Board discussed the case and considered offering Dr. Lewis a Consent Agreement which would include a civil penalty. However, after further discussion, a motion was made by Dr. Karp, seconded by Dr. Lovejoy, and carried by a 5-1 vote (with Dr. Paul voting no) to issue a non-disciplinary Letter of Concern to Dr. Lewis urging him to be vigilant regarding all Arizona statutes and rules relating to the practice of psychology, particularly A.R.S. 32-3208.

b) Robert Block, Ph.D. – Case No. 07-19

Dr. Paul summarized the allegations of this case. She stated that because there were similar issues in this case and in Case No. 07-21 regarding Dr. Block, the cases would be discussed individually, but the motions made would encompass both cases. The Board proceeded to discuss the case after which Dr. Lovejoy made a motion, seconded by Dr. Karp, to offer a Consent Agreement to Dr. Block for both 07-19 and 07-21. The proposed Consent Agreement would find Dr. Block in violation of A.R.S. 32-2061(A)(13)(h) for failure to maintain adequate financial and professional records pertaining to psychological services provided and A.R.S. 32-2061(A)(13)(bb) for failure to furnish information to the Board in a timely manner upon request. The Consent Agreement would include probation for 1 year to include a practice management consultant, and 12 hours additional CE in risk management and records keeping. The motion carried 5-1 with Dr. Santos De Barona voting no. The Board further stated that if Dr. Block declined to enter into the Consent Agreement, he would be invited to an informal interview.

c) Robert Block, Ph.D. – Case No. 07-21

Dr. Paul summarized the allegations of this case. She stated that because there were similar issues in this case and in Case No. 07-19 regarding Dr. Block, the cases would be discussed individually, but the motions made would encompass both cases. The Board proceeded to discuss the case after which Dr. Lovejoy made a motion, seconded by Dr. Karp, to offer a Consent Agreement to Dr. Block for both 07-19 and 07-21. The proposed Consent Agreement would find Dr. Block in violation of A.R.S. 32-2061(A)(13)(h) for failure to maintain adequate financial and professional records pertaining to psychological services provided and A.R.S. 32-2061(A)(13)(bb) for failure to furnish information to the Board in a timely manner upon request. The Consent Agreement would include probation for 1 year to include a practice management consultant, and 12 hours additional CE in risk management and record keeping. The motion carried 5-1 with Dr. Santos De Barona voting no.

d) Scott Sindelar, Ph.D. – Case No. 07-25

Dr. Paul summarized the allegations of the case. Dr. Sindelar was present and represented by his counsel, Attorney Michael Wolver. Dr. Lovejoy stated that although he has known Dr. Sindelar through academia and work functions for several years, he could remain unbiased and had no information about the complaint prior to this meeting. Board members proceeded to discuss this case. After discussion of the case, Dr. Lovejoy made a motion, seconded by Dr. Karp, to dismiss the case because it was without merit. The motion carried unanimously (6-0).

7. DISCUSSION REGARDING REQUEST FOR TERMINATION OF PROBATION

Frank Powers, Ph.D. - Case No. 03-40

Ms. McCarthy presented an overview of the terms of the Consent Agreement which Dr. Powers entered into with the Board on June 14, 2005. Ms. McCarthy explained that she had been closely monitoring Dr. Powers' compliance with the terms of probation and that he had complied with all terms of the Consent Agreement. She further explained that Dr. Powers, under the terms of the agreement, had requested early termination of his probation and that his practice monitor had also requested that Dr. Powers' probation be reduced from three years to two years. A motion was made by Dr. Karp, and seconded by Dr. Mellott to grant Dr. Powers' request for early termination from probation. The motion carried unanimously (6-0).

8. DISCUSSION/DISCUSSION REGARDING CLARIFICATION OF CONSISTENCY IN PROCEDURES AND FUNCTION OF THE APPLICATION REVIEW COMMITTEE

Dr. Lovejoy presented several issues regarding the Board's Applications Review Committee explaining the need for consistency due to the fact that the makeup of the committee changes every three months. It was the consensus of the Board that it is acceptable for the Committee members to search the transcript of an applicant's file for courses that would fulfill the Board's statutory requirements and thereby allow the application to be forwarded to the full Board for approval. The Board noted that in those cases, Board staff must be vigilant in clearly noting the Committee recommendations in the applicant's file.

Another area discussed by the Board was whether the Board should continue to utilize a committee made up of Board members to review license applications or transfer that task to Board staff. Ms. McCarthy stated that she posed this question on the ASPPB's list serve and that of the 22 jurisdictions responding to the question, 17 of them utilized either a committee of the Board, the full Board or a psychologist to review licensee applications. Ms. McCarthy stated that a Board committee had reviewed license applications during her 15 years with the Board, that it had worked well, and recommended that no changes be made to the review process. The Board, by consensus, agreed to continue to use a Board committee to review license applications.

As a final note regarding the Applications Review Committee, it was agreed by members of the Board that Board staff should create an Applications Review Committee Procedures Manual to keep track of the decisions and procedures adopted by the Board in regard to application review.

9. DISCUSSION/DECISION REGARDING FUTURE AD HOC COMMITTEE PROCEDURES REGARDING DOCUMENTATION OF PUBLIC AND INTERESTED PARTIES FEEDBACK

Dr. Lovejoy discussed instances in the past where the Board has received input from the public on various issues which may have not been formally documented by the Board. He stated that formal documentation would allow interested parties to be able to ascertain reasons why the Board had accepted, rejected or modified the public's input. Dr. Lovejoy provided to the Board samples of documenting procedures used by APA. It was the consensus of the Board to utilize a similar procedure for future public input and/or possibly use web based tools such as "Survey Monkey" for this purpose.

10. DISCUSSION/DECISION REGARDING CURRENT AND FUTURE PROPOSED STATUTE AND RULE REVISIONS UNDER CONSIDERATION BY THE LEGISLATIVE/RULES COMMITTEE

Dr. Paul stated that she asked Ms. McCarthy to prepare several items addressing the issue of when the Board should again introduce legislation regarding statute revisions. Ms. McCarthy had prepared and provided to the Board the following: (1) a list of suggested statute and rule revisions that had been collected by Board staff over the past year; (2) A "Best Practices Timeline" for the Board to consider when introducing future legislation and; (3) A list of reasons why the Board should wait until the 2009 Legislative Session to introduce statute revisions. It was the consensus of the Board that it would not introduce any legislation until the 2009 Legislative Session and that it would utilize Ms. McCarthy's suggested timeline for that process. Dr. Paul encouraged the Board members to carefully review the Board's statutes and note any suggested changes for future discussion.

11. SELECTION OF DELEGATE TO ATTEND ASPPB MEETING ON OCTOBER 17-21, 2007 IN COLORADO SPRINGS, COLORADO

Dr. Paul announced that ASPPB will be holding their annual conference in Colorado Springs, Colorado on October 17-21, 2007 and further noted that one of the Board's public members, Ms. Del-Colle had not yet attended an ASPPB meeting. Ms. Del-Colle stated that she was honored by the invitation and would check her schedule to see if she was available. Dr. Lovejoy stated that because this was ASPPB's annual meeting, it would be important for the Board to also send its current chairperson, Dr. Paul, to the meeting if the Board's budget would permit the additional expenditure. Ms. McCarthy stated that she would check the budget and make the necessary arrangements for either one or two Board members to attend.

12. EXECUTIVE DIRECTOR'S REPORT

- **Financial** – Ms. McCarthy reported that the Board's fiscal year ended on June 30, 2007. Although she has not received the final report from DOA, she notes that it should reflect that for this fiscal year, the Board has expended only approximately 88% of its appropriations. Any unexpended funds will revert back into the Board's reserve fund balance, but those monies cannot be spent unless and until they are appropriated back to the Board by the Legislature and the Governor. Ms. McCarthy reminded Board members that the budget allows for the Board to pay members for up to 1 day of preparation time for Board meetings and an additional 1-2 days for the actual attendance. Ms. McCarthy stated that during the month of August, she will be working on the 2009 budget request and she will be requesting additional funds for in-state travel to accommodate those Board members who are traveling from out of town.
- **Lobbyists** – Ms. McCarthy stated that it appears that Representative Lujan will be introducing legislation in the upcoming 2008 session, which impacts the Board. She stated that it had been the Board's practice in the past to hire a lobbyist and recommended that the Board should again send out bids for a lobbying contract. She explained that it is very difficult for the Board's Executive Director to spend the time required at the Legislature to monitor legislation and still perform duties at the Board office. The Board, by consensus authorized Ms. McCarthy to send out bids for a lobbyist for the 2008 Legislative session.

13. LICENSING REPORT

- **New Licenses Issued** – Ms. Hinckley reported that the Board had licensed the following 12 psychologists since the June 1, 2007 meeting:

3887 David Powell, Psy.D.
3888 James Graves, Ph.D.
3889 Eugenio Pelusso, Ph.D.
3890 Erin Lanphier, Ph.D.
3891 Shari Stillman-Corbitt, Psy.D.
3892 Charles Billbrey, Ph.D.
3893 Aaron Bowen, Psy.D.
3894 Stephen Myles, Ph.D.
3895 Christine Belden, Psy.D.
3896 Mayday Levine, Psy.D.
3897 Melissa Soza Fees, Ph.D.
3898 Kristen Robaina, Psy.D.

Ms. Hinckley reported that the Board had licensed 47 psychologists in all this year, which compared to 54 licenses issued by this time last year.

- **EPPP Results** – Ms. Hinckley next reported that the following seven applicants had passed the Examination for Professional Practice in Psychology in between June and July, with three failing:

Pass

Aaron Bowen, Psy.D.
 Joseph Gentry, Ph.D.
 Judy Hogan, Ph.D.
 Mayday Levine, Psy.D.
 Stephen Myles, Ph.D.
 Kristen Robaina, Psy.D.
 Gregory Waugh, Psy.D.
 Lisa Pearson, Ph.D.

Fail

Emma Foster, Ph.D.
 Vicky Lomay, Ph.D.

- **New Applications** – Finally, Ms. Hinckley reported that the Board had received 16 new applications and two re-applications over the past two months since the last Board meeting, which made a total of 75 total applications received this year; that compared to 71 applications received by this time last year.

14. INVESTIGATIONS REPORT

- **New Cases Received** – Ms. Fox reported that since the June 1, 2007 Board meeting, the Board has received 13 new complaints, which totals 37 complaints received for the 2007 calendar year.
- **Cases Resolved** – Ms. Fox reported that, for the calendar year, 23 cases have been resolved, 4 cases have been referred to the full board, and 10 cases are currently under investigation.

Ms. Fox reported that Dr. Charulata Nadig completed the terms of her probation as of June 28, 2007.

Ms. Fox also reported that at the June 1, 2007 Board meeting, the Board offered a consent agreement to Dr. Thomas Eric Hansen, which had been signed.

5. DISCUSSION/DECISION REGARDING APPLICATIONS

- **REQUESTING EXAMINATION**

Dr. Lovejoy made a motion, seconded by Dr. Karp, and unanimously carried (6-0), that **Jocelyn Lee, Ph.D.**, having obtained a doctoral degree in psychology as required under A.R.S. § 32-2071, be approved to sit for the Examination for Professional Practice in Psychology (EPPP).

- **REQUESTING EXAMINATION & LICENSURE**

Dr. Lovejoy next made a motion, seconded by Dr. Karp, and unanimously carried (6-0), that the following applicants, having met the requirements of A.R.S. § 32-2071 and A.A.C. R4-26-203, be approved to sit for the EPPP and for licensure upon receipt of a passing score on the examination, and payment of the pro-rated original license fee:

- **Cathy Bissett, Psy.D.**
- **Ruchi Bhargava, Ph.D.**
- **Adam McCray, Ph.D.**
- **Lynn Nunemacher, Psy.D.**
- **Sonia Peralá, Ph.D.**
- **Hugo Tapia, Ph.D.**
- **Holly Zaman, Psy.D.**

- **REQUESTS FOR LICENSURE BY WAIVER OF EXAM**

A motion was then made by Dr. Lovejoy, seconded by Dr. Karp, and unanimously carried (6-0), that **Fernanda Martinez, Ph.D.**, having met the requirements of A.R.S. § 32-2071.01(A), be approved for licensure upon payment of the pro-rated original license fee.

➤ **REQUESTING LICENSURE FOLLOWING COMPLETION OF POST-DOC**

A motion was then made by Dr. Lovejoy, seconded by Dr. Karp, and unanimously carried (5-0-1), with Dr. Mellott abstaining, that **Gary Reyes Ph.D.**, having met the requirements of A.R.S. § 32-2071.01(A), having passed the EPPP with a score of 70% or better and completed his post-doctoral hours, be approved for licensure upon payment of the pro-rated original license fee.

➤ **RATIFICATION OF LICENSURE BY CREDENTIAL**

Dr. Lovejoy then made a motion, seconded by Dr. Karp, and unanimously carried (6-0), to ratify the issuance of licensure by credential to the following applicants, who had met the requirements of A.R.S. § 32-2071.01(B):

- **Kris Kratz, Ph.D.**

Finally, Dr. Lovejoy announced that the following applications remained ongoing:

- **Christine Bartley, Ph.D.**
- **David Beckstead, Ph.D.**
- **Gary Denny, Ph.D.**
- **Thomas Fulks, Psy.D.**
- **Scott Goldman, Ph.D.**
- **Janie Goodall, Psy.D.**
- **Tracy Heinz, Psy.D.**
- **Tanseem Khan, Ed.D.**
- **Aliska King, Psy.D.**
- **Kimberly Linder, Ph.D.**
- **William Mobley, Ph.D.**
- **Mahsaw Nademin, Ph.D.**
- **Eddie Ornelas, III, Ph.D.**
- **Mary Palmquist, Ph.D.**
- **Nicole Roberts, Ph.D.**
- **Ruth Tenriero, Psy.D.**
- **Julie Weston, Ph.D.**
- **Traci Williams, Ph.D.**

16. DISCUSSION/DISCUSSION – RATIFICATION OF REACTIVATION OF LICENSES

- **Ronald Robbins, Ph.D., #1705** – Ms. Hinckley presented this agenda item. Dr. Robbins submitted a request to the Board to reactivate his license. Upon review of the materials documentation submitted, it appears that Dr. Robbins had completed all CE required to reactivate his license. Dr. Lovejoy made the motion, seconded by Dr. Karp, to ratify reactivation of Dr. Robbins license. The motion carried unanimously.
- **Cynthia Smith, Psy.D., #3103** – Dr. Paul presented this agenda item and noted that Dr. Smith had not submitted proof of completion of CE in Domestic Violence or Child Abuse. Dr. Paul requested that the Board vote to ratify the reactivation of her license based upon giving the professional a 30 day extension to submit proof of CE pertaining to Domestic Violence or Child Abuse. Dr. Lovejoy made the motion, seconded by Dr. Santos De Barona to grant Dr. Smith a 30 day extension to submit proof of CE in Domestic Violence or Child Abuse and approve the ratification of reactivation of her license. The motion carried unanimously.

17. DISCUSSION/DECISION REGARDING REQUESTS FOR MEDICAL INACTIVE STATUS PURSUANT TO A.R.S. 32-2073(E)

- **David Mueller, Ed.D.** – Dr. Mueller submitted a request to the Board to render his license inactive due to medical issues. Dr. Mellott noted that Dr. Mueller had not submitted any documentation of any protocol of client retrieval of records made available to the public. A motion was made by Dr. Mellott, seconded by Ms. Del-Colle, and unanimously carried (6-0), to approve Dr. Mueller's request for Medical Inactive status based upon his submission to the

Board within 30 days his protocol for client retrieval of medical records made available to the public.

18. NEW BUSINESS OR FUTURE AGENDA ITEMS

There were no new items brought forward regarding new business or future agenda items.

19. ADJOURNMENT

There being no further business to come before the Board, a motion was made by Dr. Karp, seconded by Dr. Mellott, and unanimously carried (7-0), to adjourn the meeting at 2:00 p.m.

Prepared by:

Meghan B. Hinckley
Deputy Director

Respectfully submitted,
/s/Maryann Santos de Barona, Ph.D.
Secretary